IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9093 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE M.R. SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GAJANAND QUARRY WORKS

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 9093 of 2004

MR PS PATEL for Petitioner No. 1

Mr. KD Pandya, AGP for Respondent No. 1-5

DS AFF.NOT FILED (N) for Respondent No. 1-5

CORAM : HON'BLE MR.JUSTICE M.R. SHAH

Date of decision: 06/08/2004

ORAL JUDGEMENT

Rule. Shri KD Pandya, learned AGP waives service of Rule on behalf of respondents No. 1 to 5.

2. In response to the notice issued by this Court, one Shri JR Dave, Assistant Geologist, serving in

Collector's office, Palanpur, is present before the Court. Mr. Pandya under instructions from his client makes a statement that the petitioner will be handed over possession of quarry lease as demanded by the petitioner within a period of 15 days if and when the petitioner approaches the Mamlatdar, Danta for taking the possession. In view of the aforesaid statement, as and when the petitioner approaches for taking possession, the respondents are directed to hand over possession of the quarry lease immediately. The parties are directed to act accordingly. In that view of the matter, nothing further is required to be done now and the petition is therefore required to be disposed of. Accordingly it stands disposed of. Liberty to apply in case of difficulty. Rule is made absolute to the aforesaid extent.

[M.R. Shah, J.]

rmr.